

CITY OF DURHAM

Northeast Central Durham (NECD) Economic Development Analysis

DEPARTMENT OF
NEIGHBORHOOD IMPROVEMENT SERVICES
807 East Main Street
Durham, North Carolina 27701

REQUEST FOR PROPOSALS

Date of Issue: **September 28, 2009**Due Date: **October 28, 2009**

ECONOMIC DEVELOPMENT ANALYSIS

The City of Durham is requesting proposals from qualified persons or firms to perform an Economic Development Analysis in the Northeast Central Durham community to encompass the neighborhoods of Albright/Maplewood/Eastway, Old Five Points, Cleveland/Holloway, Hoover Road, Wellons Village, and East Durham.

Respondents Are Not Required To Return This Form.

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Community Engagement	Project Manager Division
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Section One Introduction and Instructions

1.01

Return Mailing Address, Contact Person, Telephone & Fax Numbers, Deadline for Receipt of Proposals

Respondents must submit one (1) original and five (5) copies of their proposal, in writing, to the Department of Neighborhood Improvement Services in a sealed envelope. The original copy must be signed by an officer who is authorized to bind the Respondent contractually. Also, the name and title of the individual who signed the proposal should be typed immediately below the signature. The proposal must be addressed as set out below.

Delivery Address if submitting in person: 807 East Main Street, Bldg. 2, Suite 2-200

Proposals must be received no later than **4:00 p.m.**, on **October 28, 2009**. Fax, electronic and/or oral proposals are not acceptable.

A Respondent's failure to submit their proposal before the deadline will cause their proposal to be disqualified. Late proposals or amendments will not be opened or accepted for evaluation.

1.02

Contract Term & Work Schedule

The contract term and work schedule set out herein represent the City's best estimate of the schedule that will followed. If a component of this schedule, such as the opening, is delayed, the rest of the schedule will be shifted by the same number of days.

The length of the contract will be approximately from the date of award to a 90-day completion deadline.

The approximate RFP schedule is as follows:

[a] Issue RFP: September 28, 2009

[b] Pre-Proposal Conference: October 19, 2009

[c] Receive Proposals: October 28, 2009

[d] Proposal Evaluation Committee complete evaluation by: November 9. 2009

[e] Council Agenda Item Deadline: December 8, 2009

[f] Council Meeting: January 4, 2010

[g] Contract Start Date: February 1, 2010

[h] Contract End Date: April 30, 2010

1.03

Purpose of the Request for Proposal (RFP)

The Department of Neighborhood Services, Division of Community Engagement is soliciting proposals from qualified persons or firms to perform an Economic Development Analysis in the Northeast Central Durham community to encompass the neighborhoods of Albright/Maplewood/Eastway, Old Five Points, Cleveland/Holloway, Hoover Road, Wellons Village, and East Durham.

1.04

Budget

The NECD Economic Development Analysis will be funded by Community Development Block Grant - Recovery funds.

1.05

Location of Work

The City WILL NOT provide workspace for the contractor. The contractor must provide its own workspace.

1.06

Notice Under the Americans with Disabilities Act (ADA)

The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities, The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Stacey Poston, RLA, ADA Coordinator, Voice: 919-560-4197 x21254, TTY: 919-560-4809; stacey.poston@durhamnc.gov, as soon as possible but no later than 48 hours before the scheduled event.

1.07

Required Review

Respondents should carefully review this solicitation for defects and questionable or objectionable matter. Comments concerning defects and objectionable material must be made in writing and received by the Project Manager at least ten (10) days before the proposal opening. This will allow issuance of any necessary amendments. It will also help prevent the opening of a defective solicitation and exposure of Respondents proposals upon which award could not be made. Protests based on any omission or error, or on the content of the solicitation, will be disallowed if these faults have not been brought to the attention of the contracting officer, in writing, at least ten (10) days before the time set for opening.

1.08

Questions Received before Opening of Proposals

All questions must be in writing and directed to the Department of Neighborhood Improvement Services, Attention: Earl Phillips. The interested party must confirm telephone conversations in writing. Questions and answers will be distributed to potential Respondents who have requested RFP's from the City.

Two types of questions generally arise. One may be answered by directing the questioner to a specific section of the RFP. These questions may be answered over the telephone. Other questions may be more complex and may require a written amendment to the RFP. The Department of Neighborhood Improvement Services will make that decision.

No other City or employee is empowered to speak for the City with respect to this RFP. Respondents who seek to obtain information, clarification, or interpretation from another City official or employee is advised that such material is used at the Respondent's own risk, and that the City will not be bound by any such representations.

Amendments

If an amendment is issued, it will be provided to all who received an electronic copy or were mailed a copy of the RFP and posted to the City's internal website.

1.10

Alternate Proposals

Respondents may only submit one proposal for evaluation.

Alternate proposals (proposals that offer something different than what is asked for) will be rejected.

1.11

Right of Rejection

The City of Durham reserves the right to reject any or all proposals at any time with no penalty and to waive immaterial defects and minor irregularities in proposals. Issuance of the "Request for Proposals" does not commit the City to award a contact, to pay any cost incurred in preparation of a proposal to this request, or to procure or contract for service or supplies. The City reserves the right to reject any and all proposals, and to re-advertise.

1.12

City of Durham Not Responsible for Preparation Costs

The City of Durham will not pay any cost associated with the preparation, submittal, presentation, or evaluation of any proposal. Those submitting proposals do so entirely at their expense. There is no expressed or implied obligation by the City to reimburse any individual or firm for any cost incurred in preparing or submitting proposals, providing additional information when requested by the City, or for participating in any selection interviews.

1.13

Disclosure of Proposal Contents

All proposals and other material submitted become the property of the City of Durham. All proposal information, including detailed price and cost information, will be held in confidence during the evaluation process and before the time a Notice of Intent to Award is issued. Thereafter, proposals will become public information.

Material considered confidential by the Respondent must be clearly identified and the Respondent must include a brief statement that sets out the reasons for confidentiality. Additionally, the City will not be providing confidential materials during the RFP process.

Subcontractors

Subcontractors may be used to perform work under this contract. If an offeror intends to use subcontractors, the offeror must identify in their proposal the names of the subcontractors and the portions of the work the subcontractors will perform. If a proposal with subcontractors is selected, the offeror must provide the following information concerning each prospective subcontractor within five working days from the date of the City's request:

- [a] complete name of the subcontractor,
- [b] complete address of the subcontractor,
- [c] type of work the subcontractor will be performing,
- [d] percentage of work the subcontractor will be providing,
- [e] evidence, as set out in the relevant section of this RFP, that the subcontractor holds a valid City of Durham business license,
- [f] a written Statement, signed by each proposed subcontractor, that clearly verifies that the subcontractor is committed to render the services required by the contract.

An offeror's failure to provide this information within the time set may cause the City to consider their proposal non-responsive and reject the proposal.

The substitution of one subcontractor for another may be made only at the discretion of the Project Manager and with prior written approval from Project Manager.

1.15

Joint Ventures

Joint ventures will not be allowed.

1.16

Respondent's Certification

By signature on their proposal, Respondents certify that they comply with,

- [a] the laws of the State of North Carolina,
- [b] the applicable portion of the Federal Civil Rights Act of 1964,

- [c] the Equal Employment Opportunity Act and the regulations issued there under by the federal government,
- [d] the Americans with Disabilities Act of 1990, and the regulations issued there under by the federal government,
- [e] all terms and conditions set out in this RFP,
- [f] a condition that the proposal submitted was independently arrived at, without collusion, under penalty of perjury, and
- [g] that their offers will remain open and valid for at least 90 days.

By signature on their proposal, Respondents also certify that programs, services, and activities provided to the general public under the resulting contract are in conformance with the Americans with Disabilities Act of 1990, and the regulations issued thereunder by the federal government.

If any Respondent fails to comply with [a] through [g] of this paragraph, the City of Durham reserves the right to disregard the proposal, terminate the contract, or consider the contractor in default.

1.17

Conflict of Interest

Each proposal shall include a statement indicating whether or not the firm or any individual working on the contract has a possible conflict of interest (e.g., employed by the City of Durham) and, if so, the nature of that conflict. The Durham City Council reserves the right to cancel the award if any interest disclosed from any source could either give the appearance of a conflict or cause speculation as to the objectivity of the program to be developed by the Respondent. The City Council's determination regarding any questions of conflict of interest shall be final.

1.18

Confidentiality Policy

It is the policy of the City of Durham to hold in strictest confidence any information that might compromise the privacy or identity of any individual or organization where disclosure could place that person or organization at risk for identity theft. We expect the same of the contractors

1.19

Right to Inspect Place of Business

At reasonable times, the City of Durham may inspect those areas of the contractor's place of business that are related to the performance of a contract. If the City makes such an inspection, the contractor must provide reasonable assistance.

Solicitation Advertising

This solicitation has been advertised in the Carolina Times and the News and Observer newspapers.

1.21

News Releases

News releases related to this RFP will not be made without prior approval of the Public Information Officer, and then only in coordination with the Project Manager.

1.22

Assignment

The contractor may not transfer or assign any portion of the contract without prior written approval from the Director of the Department of Neighborhood Improvement Services.

1.23

Disputes

Any dispute arising out of this agreement will be resolved under the laws of North Carolina. The exclusive forum and venue for all actions arising out of this Contract shall be the North Carolina General Court of Justice, in Durham County. Such actions shall neither be commenced in nor removed to federal court.

1.24

Severability

If any provision of the contract or agreement is declared by a court to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected; and, the rights and obligations of the parties will be construed and enforced as if the contract did not contain the particular provision held to be invalid.

1.25

Federal Requirements

The Respondent must comply with all known federal requirements that apply to the proposal, scope of services, the evaluation, and/or the contract.

1.26

Equal Business Opportunity Program

It is the policy of the City to provide equal opportunities for City contracting for small firms owned by socially and economically disadvantaged persons doing business in the

City's Contracting Marketplace. It is further the policy of the City to prohibit discrimination against any firm in pursuit of these opportunities, to conduct its contracting activities so as to prevent such discrimination, to correct present effects of past discrimination and to resolve complaints of discrimination. This policy applies to all professional services categories.

While there are no SDBE participation goals for this project, in accordance with the Ordinance, all contractors are required to provide information requested in the "SDBE Professional Services Forms" package, which has been included with this Request for Proposals in Section 8. Proposals that do not contain the appropriate, completed "Professional Services Forms" will be deemed non-responsive and ineligible for consideration. The "Declaration of Performance," "Participation Documentation," Managerial Profile," "Equal Opportunity Statement" and the "Employee Breakdown" documents are required of all contractors. In lieu of "Employee Breakdown," contractors may submit a copy of the current EEO-1 form (corporate basis). Other forms in the package should be used as needed.

The Department of Equal Opportunity/Equity Assurance is responsible for the Equal Business Opportunity Program. All questions about "SDBE Professional Services Forms" should be referred to Deborah Giles or other department staff at (919) 560-4180.

SECTION TWO STANDARD PROPOSAL INFORMATION

2.01

Authorized Signature

An individual authorized to bind the responder to the provisions of the RFP must sign all proposals. Proposals must remain open and valid for at least ninety (90) days from the opening date.

2.02

Pre-proposal Conference

A pre-proposal conference will be held at **10:00a.m.** on **October 19, 2009** in the Department of Community Development's large conference room located at 807 East Main Street, Building 2, Suite 2-200, Durham, N.C. The purpose of the conference is to discuss the work to be performed with the prospective Respondents and allow them to ask questions concerning the RFP. Questions and answers will be transcribed and sent to prospective Respondents as soon as possible after the meeting.

Firms interested in attending the conference must notify the Project Manager by **October 13, 2009.**

Respondents with a disability needing accommodation should contact the Project Manager before the date set for the pre-proposal conference so that reasonable accommodation can be made.

2.03

Site Inspection

The City may conduct on-site visits to evaluate the Respondents capacity to perform the contract. Respondents must agree, at risk of being found non-responsive and having their proposal rejected, to provide the City reasonable access to relevant portions of their work sites. Individuals designated by the Purchasing Manager at the City's expense will make site inspection.

2.04

Amendments to Proposals

Amendments to or withdrawals of proposals will only be allowed if acceptable requests are received before the deadline set for receipt of proposals. No amendments or withdrawals will be accepted after the deadline.

Supplemental Terms and Conditions

Proposals including supplemental terms and conditions will be accepted, but supplemental conditions that conflict with those contained in this RFP or that diminish the City's rights under any contract resulting from the RFP will be considered null and void. The City is not responsible for identifying conflicting supplemental terms and conditions before issuing a contract award. After award of the contract:

- [a] if conflict arises between a supplemental term or condition included in the proposal and a term or condition of the RFP, the term or condition of the RFP will prevail; and
- [b] if the City's rights would be diminished because of application of a supplemental term or condition included in the proposal, the supplemental term or condition will be considered null and void.

2.06

Discussions with Respondents

The City may conduct discussions with Respondents for the purpose of clarification. The purpose of these discussions will be to ensure full understanding of the requirements of the RFP and proposal. Discussions will be limited to specific sections of the RFP identified by the procurement officer. The Project Manager will only hold discussions with Respondents who have submitted a proposal deemed reasonably susceptible for award. Discussions, if held, will be after initial evaluation of proposals by the review committee. If modifications are made because of these discussions, they will be put in writing. Following discussions, the Project Manager may set a time for best and final proposal submissions from those Respondents with whom discussions were held. Proposals may be reevaluated after receipt of best and final proposal submissions. Re-evaluation will be limited to the specific sections of the RFP opened to discussion by the Project Manager.

Responder's with a disability needing accommodation should contact the Project Manager before the date set for discussions so that reasonable accommodation can be made.

2.07

Prior Experience

In order for the proposal to be considered responsive, Respondents must demonstrate substantial experience in preparing Economic Development Analysis Reports. For the purpose of the RFP, "substantial" is defined to mean not less than five (5) years of experience. Respondents must provide third-party contact information the purposes of verifying such experience.

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A Respondent's failure to meet these minimum prior experience requirements will cause their proposal to be considered non-responsive and their proposal will be rejected.

2.08

Evaluation of Proposals

The City will use an Evaluation Committee to evaluate all proposals. The evaluation will be based solely on the evaluation factors set out in section seven of this RFP.

2.09

Vendor Tax ID

A valid Federal Tax ID must be submitted to the issuing office with the proposal or within five (5) days of the City's request.

2.10

F.O.B. Point

N/A

2.11

City of Durham Business License & Other Required Licenses

All organizations doing business with the City of Durham are required to comply with all state, local and federal licensing requirements. This includes obtaining a City of Durham business privilege license (if applicable). Firms selected through the RFP process will be required to demonstrate compliance with licensing requirements. All responding firms that are not currently licensed must provide proof of application for licenser and must obtain all necessary licenses before entering into a contractual agreement with the City of Durham. To obtain a Privilege License, call (919) 560-4700.

2.12

Contract Negotiations

After completion of the evaluation, including any discussions held with Responder's during the evaluation, the City may elect to initiate contract negotiations. The option of whether or not to initiate contract negotiations rests solely with the City. If the City elects to initiate contract negotiations, these negotiations cannot involve changes in the City's requirements or the Respondent's proposal, which would, by their nature, affect the basis of the source selection and the competition previously conducted. If contract negotiations are commenced, they will be held at a location to be determined in the City of Durham North Carolina. The Respondent will be responsible for their travel and per diem expenses.

Failure to Negotiate

If the selected contractor:

- fails to provide the information required to begin negotiations in a timely manner;
 or
- fails to negotiate in good faith; or
- indicates they cannot perform the contract within the budgeted funds available for the project; or
- after a good faith effort, simply cannot come to terms with the City

the City may terminate negotiations with the contractor initially selected and commence negotiations with the next highest ranked Respondent.

2.14

Notice of Intent to Award (NIA) —Responder Notification of Selection

After the completion of contract negotiations, the Project Manager will issue a written Notice of Intent to Award (NIA) and send copies to all Respondents. The NIA will set out the names and addresses of all Respondents and identify the proposal selected for award. The scores and placement of other Respondents will not be part of the NIA.

SECTION THREE STANDARD CONTRACT INFORMATION

3.01

Contract Type

The selected Contractor will be required to sign a City of Durham generated contract.

3.02

Contract Approval

This RFP does not, by itself, obligate the City. The City's obligation will commence when the Durham City Council approves the contract. Upon written notice to the contractor, the City may set a different starting date for the contract. The City will not be responsible for any work done by the contractor, even work done in good faith, if it occurs before the contract start date set by the City.

3.03

Proposal as a Part of the Contract

Part or all of this RFP and the successful proposal may be incorporated into the contract.

3.04

Additional Terms and Conditions

The City reserves the right to add terms and conditions during contract negotiations. These terms and conditions will be within the scope of the RFP and will not affect the proposal evaluations.

3.05

Insurance Requirements

Contractor shall maintain insurance not less than the following:

Commercial General Liability, covering

- premises/operations
- products/completed operations
- broad form property damage
- explosion, collapse, and underground hazards if the hazards exist in the performance of this contract
- contractual liability
- independent contractors, if any are used in the performance of this contract
- City of Durham must be named additional insured, and <u>an original of the endorsement to effect the coverage must be attached to the certificate (if by blanket</u>

endorsement, then agent may so indicate in the GL section of the certificate, in lieu of an original endorsement)

• combined single limit not less than \$1,000,000 per occurrence

Automobile Liability Insurance, covering

- owned, hired, or borrowed vehicles
- employee vehicles, if used in performance of this contract
- combined single limit not less than \$1,000,000 per occurrence
- City of Durham must be named additional insured, and <u>an original of the endorsement to effect the coverage must be attached to the certificate (if by blanket endorsement, then agent may so indicate in the GL section of the certificate, in lieu of an original endorsement)
 </u>

Workers' Compensation Insurance, covering

- statutory benefits;
- covering employees; covering owners partners, officers, and relatives (who work on this contract)
- employers' liability, \$1,000,000.
- Waiver of subrogation in favor of the City of Durham

Insurance shall be provided by:

- companies authorized to do business in the State of North Carolina
- companies with Best rating of A-VIII or better.

Insurance shall be evidenced by a certificate:

- providing notice to the City of not less than 30 days prior to cancellation or reduction of coverage
- certificates shall be addressed to:

City of Durham Attention: Finance Director 101 City Hall Plaza

Durham, NC 27701

 both the insurance certificate and the additional insured endorsement must be originals and must be approved by the City's Finance Director before Contractor can begin any work under this contract.

3.06

Bid Deposit - Performance Bond - Surety Deposit

Bid Bond

A Bid Deposit will not be required.

Performance Bond

A Performance Bond will not be required.

Surety Deposit

A Surety Deposit will not be required.

Proposed Payment Procedures

The City will make payments based on a negotiated payment schedule. Each billing must consist of an invoice and progress report. No payment will be made until the Project Manager has approved the progress report and invoice.

3.08

Contract Payment

No payment will be made until the contract is approved by the Durham City Council and has been fully executed by all parties. Under no conditions will the City be liable for the payment of any interest charges associated with the cost of the contract.

3.09

Informal Debriefing

When the contract is completed, an informal debriefing may be performed at the discretion of the Project Manager. If performed, the scope of the debriefing will be limited to the work performed by the contractor.

3.10

Termination for Default

If the Project Manager determines that the contractor has refused to perform the work or has failed to perform the work with such diligence as to ensure its timely and accurate completion, the City may, by providing written notice to the contractor, terminate the contractor's right to proceed with part or all of the remaining work.

3.11

Contract Changes - Unanticipated Amendments

During the course of this contract, the contractor may be required to perform additional work. That work will be within the general scope of the initial contract. When additional work is required, the Project Manager will provide the contractor a written description of the additional work and request the contractor to submit a firm time schedule for accomplishing the additional work and a firm price for the additional work. Cost and pricing data must be provided to justify the cost of such amendments.

The contractor will not commence additional work until the Project Manager has secured any required City approvals necessary for the amendment and issued a written contract amendment.

Contract Invalidation

If any provision of this contract is found to be invalid, such invalidation will not be construed to invalidate the entire contract.

3.13

Non-Discrimination Clause

The City of Durham opposes discrimination on the basis of race and sex and urges all of its contractors to provide a fair opportunity for minorities and women to participate in their work force and as subcontractors and vendors under city contracts.

3.14

EEO Provisions

During the performance of this Contract the Contractor agrees as follows:

- a. The contractor shall not discriminate against any employee or applicant or employment because of race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The contractor shall take affirmative action to insure that applicants are employed and that employees are treated equally during employment, without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The contractor shall post in conspicuous places, available to employees and applicants for employment, notices setting forth these provisions.
- b. The contractor shall in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap.
- c. The contractor shall send a copy of the EEO provisions to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding.
- d. In the event of the contractor's noncompliance with these EEO provisions, the City may cancel, terminate, or suspend this contract, in whole or in part, and the City may declare the contractor ineligible for further City contracts.
- e. Unless exempted by the City Council of the City of Durham, the Contractor shall include these EEO provisions in every purchase order for goods to be used in performing this contract and in every subcontract related to this contract so that these EEO provisions will be binding upon such subcontractors and vendors.

3.15 Liquidated Damages

N/A

SECTION FOUR BACKGROUND INFORMATION

4.01

Background Information

In 2002, the Northeast Central Durham (NECD) Strategic Revitalization Plan was developed for a 96 block area adjacent to Downtown Durham. This area is known as the "Gateway to the City." This area is also one of Durham's urban challenges, with a host of impoverished residential neighborhoods. Thus, Northeast Central Durham has become a priority for Mayor William V. "Bill" Bell.

NECD is ready for comprehensive, community development of all efforts and are geared toward investing in these communities. In December 2008, the Northeast Central Durham Leadership Council, a body comprised of community residents, business owners, and concerned citizens moved to expand the boundaries of Northeast Central Durham to encompass 279 blocks of inner-city Durham. Northeast Central Durham boundaries are now North - Geer Street, South - the Durham Freeway (NC -147), East - S. Miami Boulevard, and West - Mangum Street. The expansion took place as a result of the NECD Leadership Council's concerted efforts taking place well outside of the initial designation of 96 blocks. In addition, the larger area now includes various commercial/retail areas frequented by NECD residents. Expanding existing boundaries also created an opportunity to impact the much needed economic redevelopment of NECD's commercial industry. The total population of newly designated area is 15,085 residents. The majority of NECD residents are African-Americans and White/Caucasian residents reflect less than 1% of NECD's population. The homeownership rate is well below city and state levels at 25%, vielding an exceptionally high renter occupied unit rate of 75%. Presently, there are 241 vacant and boarded houses in NECD. Quality of Life issues are prevalent and relate directly to the lack of economic development in the area. Unemployment and the lack of training programs for residents further contributes to the low median household income of \$24,191.00 for the target area. Northeast Central Durham Leadership Council and City staff strive to mitigate the impacts of economic decline resulting from plant closures, substantial layoffs, and plant relocations.

The need for economic growth throughout the City of Durham continues to exist in various areas of this City whose population is rapidly growing. Downtown Durham has been transformed in the past five years and continues its growth. In 2006, Mayor William V. "Bill" Bell publicly made a commitment of development and an action call to revitalize a number of city neighborhoods and communities. His major focus was the Northeast Central Durham (NECD) area. Focus groups and key study tools used by UNC graduate students and various initiatives have been utilized to collect data that led us to identify the community stated needs of NECD. This will hopefully led us to a strategic plan that will allow the development of a comprehensive community development document. The Department of Neighborhood Improvement Services formed a new Community Engagement Division on July 1, 2009. Thus was born a project that focused on the revitalization of six varied neighborhoods. The NECD

Leadership Council, community members, city departments and staff have begun to study the issues and have been able to engage key stakeholders. This included various corporate members in the North Carolina community. Working with universities (specifically UNC-Chapel Hill graduate program of City and Regional Planning), community leaders as well as staff have come together all developing area plans for each of the six neighborhoods as they all are beginning to see private developer interest growing. With this in mind, the Community Engagement Division is looking for an economic analysis of each of the neighborhoods to better position staff and NECD for the existing and expected developer interest that continues to expand. It is critical that the City best position these neighborhoods to take advantage of current and or future private development interest by engaging in the planning of their own community's evolution.

There are a number of key outcomes that we want and developers and other stakeholders will need to see the benefit of investing in NECD before significant funding and investments are extended. While an important purpose is to entice the private development community to invest in the area, it will also be important to convince the public stakeholders of the need for, and benefit of, public investment in the neighborhoods.

SECTION FIVE SCOPE OF WORK

5.01 Scope of Work

The Department of Neighborhood Improvement Services and the Community Engagement Division is requesting respondents to provide a set of tasks to document and support the different uses for each of the six neighborhoods.

The Scope of Work below describes a set of tasks that are needed. Throughout the process there will need to be regular consultant/client communication, key stakeholder interviews and presentations with groups such as the Northeast Central Durham Leadership Council and community organizations. Also to be included is a project web site and other digital communication to keep the community informed.

- A. Task 1. Market Assessment. Review existing studies and the six neighborhood plans completed previously for the City and NECD staff and complete an economic assessment of the neighborhoods, identifying demographic trends, leading business and retail sectors employment and workforce base and other economic indicators. Working with the Office of Economic and Workforce Development also is a key area of concern as the consultant addresses Task 1 issues.
- B. **Task 2. Community Participation.** Prepare and implement a Community Participation Plan that ensures community participation throughout the community development process, engaging key stakeholders and community participants at a minimum. This will include meetings, workshops, presentations and how to interpret economic data.
- C. Task 3. Market Forecast. Forecast the achievable demand for various neighborhood uses including residential, retail and "neighborhood appropriate" commercial/office. If appropriate, other uses including recreation, hotel, entertainment, should be considered if viable. Demonstrate how the integration of social, economic, and ecological interests can foster sustainable economic development within the neighborhoods over the next five years.
- D. Task 4. Preliminary Economic and Fiscal Benefits. Conduct preliminary economic and fiscal benefits analysis on uses identified in Task 3. Based on the forecasts, prototype projects should be identified and the role of the City and or other public entities defined. Analyze regional and national information on what is happening in other areas that will impact the NECD community. This will include what neighboring cities are doing in terms of their local economics as well as opportunities and threats presented by regional and national government.

- E. Task 5. Funding Needs and Financing Alternatives. Based on the results of the previous tasks, a funding needs and financing alternatives identification should be developed. An overall approach to achieving public, private and other financial/funding is necessary and important.
- F. **Task 6. Implementation Strategy.** Each neighborhood economic analysis will conclude with a detailed "next steps" implementation strategy. This strategy will go beyond concept and opportunity and present clear and concise steps to move the economic development planning to action.
- G. Task 7. Final Report and Presentation. Draft and final reports will be submitted to the City for review by the Community Stakeholders. A final presentation may be made to the City Council, Northeast Central Durham Leadership Council and designated stakeholders.

Deliverables

The deliverables will be:

- · models for market assessment and forcasting;
- draft and final reports;
- · implementation strategy plans; and
- community participation strategy plan

5.03

Work Schedule

The contract term and work schedule set out herein represent the City's best estimate of the schedule that will be followed. If a component of this schedule, such as the opening date, is delayed, the rest of the schedule will likely be shifted by the same number of days.

The length of the contract will be from the date of award, approximately February 1, 2010 until completion, approximately April 30, 2010.

SECTION SIX PROPOSAL FORMAT AND CONTENT

6.01

Proposal Format and Content

Respondents are required to prepare their proposals in accordance with the instructions outlined in this section. Each Respondent is required to submit the proposal in a sealed package. Deviation from these instructions may be considered non-responsive and may be disqualified at the discretion of the City.

Proposals should adequately describe the Respondent's capabilities to satisfy the requirements of this RFP. All parts, figures, and table should be lettered sequentially and clearly labeled including a Table of Contents.

The City discourages lengthy and costly proposals. However, in order for the City to evaluate proposals fairly and completely, Repsondents should follow the format set out herein and provide all of the information requested.

6.02

Introduction

Proposals must include the complete name and address of their firm and the name, mailing address, and telephone number of the person the City should contact regarding the proposal.

Proposals must confirm that the firm will comply with all of the provisions in this RFP, and if applicable, provide notice that the firm qualifies as a City of Durham bidder. Proposals must be signed by a company officer empowered to bind the firm. A Respondent's failure to include these items in their proposals may cause their proposal to be determined to be non-responsive and the proposal may be rejected.

6.03

Understanding of the Service

Respondents must provide a comprehensive narrative statement that illustrates their understanding of the requirements of the project and the project schedule. The summary should contain as little technical jargon as possible and should be oriented toward non-technical personnel. The executive summary should indicate the applicable bid section(s). The executive summary should not include cost quotations.

Methodology Used for the Service

Respondents must provide a comprehensive narrative statement that sets out the methodology they intend to employ and illustrates how their methodology will serve to accomplish the scope of work.

6.05

Management Plan for the Service

Respondents must provide a comprehensive narrative statement that sets out the management plan they intend to follow and illustrates how their plan will serve to accomplish the work.

6.06

Experience and Qualifications

Provide a brief company history including how long the organization has been in business.

An organizational chart specific to the personnel assigned to accomplish the work called for in this RFP. Illustrate the lines of authority and, designate the individual's responsible and accountable for the completion of each component and deliverable of the RFP.

Provide a narrative description of the organization of the project team.

Provide a personnel roster that identifies each person who will actually work on the contract and provide the following information about each person listed:

- [a] title,
- [b] resume,
- [c] location(s) where work will be performed, and
- [d] itemize the total cost and the number of estimated hours for each individual named above.

Provide reference names and phone numbers for similar projects your firm has completed. Information should include: list of services provided, address, telephone and fax numbers, length of implementation, name of client reference, and name of Project Manager.

Cost Proposal

Respondent's cost proposals must include an itemized list of all direct and indirect costs associated with the performance of this contract including, but not limited to, total number of hours at various hourly rates, direct expenses, payroll, supplies, overhead assigned to each person working on the project, percentage of each person's time devoted to the project, and profit.

Each cost proposal must identify the total cost to be spent for each task being performed.

6.08

Evaluation Criteria

All proposals will be reviewed to determine if they are responsive. They will then be evaluated using the criteria set out in Section Seven, page 29.

SECTION SEVEN EVALUATION CRITERIA AND CONTRACTOR SELECTION

THE TOTAL NUMBER OF POINTS USED TO SCORE THIS CONTRACT IS 100

7.01

Understanding of the Service—10%

Proposals will be evaluated against the questions set out below.

- [a] How well has the Responder demonstrated a thorough understanding of the purpose and scope of the project?
- [b] How well has the Responder identified pertinent issues and potential problems related to the project?
- [c] How well has the Responder demonstrated that it understands the deliverables the City expects it to provide?
- [d] How well has the Responder demonstrated that it understands the City's time schedule and can meet it?
- [e] Adherence to the City's M/WBE program.

7.02

Methodology Used for the Service—20%

Proposals will be evaluated against the questions set out below.

- [a] How well does the methodology depict a logical approach to fulfilling the requirements of the RFP?
- [b] How well does the methodology match and contribute to achieving the objectives set out in the RFP?
- [c] How well does the methodology interface with the time schedule in the RFP?

7.03

Management Plan for the Service—20%

Proposals will be evaluated against the questions set out below.

[a] How well does the management plan support all of the project requirements and logically lead to the deliverables required in the RFP?

- [b] How well is accountability completely and clearly defined?
- [c] Is the organization of the project team clear?
- [d] How well does the management plan illustrate the lines of authority and communication?
- [e] To what extent does the Responder already have the experience necessary to perform the contract?
- [f] Does it appear that the Responder can meet the schedule set out in the RFP?
- [g] Has the contractor offered alternate deliverables and gone beyond the minimum tasks necessary to meet the objectives of the RFP?
- [h] Is the proposal practical, feasible, and within budget?
- [i] How well have any potential problems been identified?
- [j] Is the proposal submitted responsive to all material requirements in the RFP?

Experience and Qualifications—35%

Proposals will be evaluated against the questions set out below.

Questions regarding the personnel.

- [a] Is there a designated person assigned to the project?
- [b] Does the individual have experience on similar projects?
- [c] Is staff accessible and available for daily one-on-one interaction?
- [d] Are resumes complete and do they demonstrate backgrounds that would be desirable for individuals engaged in the work the project requires?
- [e] How extensive is the applicable education and experience of the personnel designated to work on the project.
- [f] How knowledgeable are the Responder's personnel of the local area and how many individuals have worked in the area previously?

Questions regarding the firm:

- [g] How well has the firm demonstrated experience in completing similar projects on time and within budget?
- [h] How successful is the general history of the firm regarding timely and successful completion of projects?
- [i] Has the firm provided letters of reference from previous clients?
- [i] How reasonable are the firm's cost estimates?
- [k] If a subcontractor will perform work on the contract, how well do they measure up to the evaluation used for the Responder?

7.05

Contract Cost—15%

SECTION EIGHT ATTACHMENTS

8.01 Equal Business Opportunity Ordinance

CITY OF DURHAM

PROFESSIONAL SERVICES FORM

SMALL DISADVANTAGED BUSINESS ENTERPRISE



Equal Opportunity/ Equity Assurance Department

Mailing Address: 101 City Hall Plaza

Durham, North Carolina 27701

Phone: (919) 560-4180 **Facsimile:** (919) 560-4513

Street Address:

302 E. Pettigrew Street, Suite C-180 Durham, North Carolina 27701

CITY OF DURHAM EQUAL BUSINESS OPPORTUNITY PROGRAM

Policy Statement

It is the policy of the City to provide equal opportunities for City contracting to small firms owned by socially and economically disadvantaged persons doing business in the City's Contracting Marketplace. It is further the policy of the City to prohibit discrimination against any firm in pursuit of these opportunities, to conduct its contracting activities so as to prevent such discrimination, to correct the present effects of past discrimination and to resolve complaints of discrimination.

Goals

To increase the dollar value of all City contracts for goods and services awarded to small disadvantaged business enterprises, it is a desire of the City that the contractor will voluntarily undertake efforts to increase the participation of socially and economically disadvantaged individuals at higher skill and responsibility levels within non-minority firms engaged in contracting and subcontracting with the City.

The Equal Opportunity/Equity Assurance Director shall establish project specific goals for each project or contract based upon the availability of small disadvantaged business enterprises (SDBE's) within the defined scope of work, delineated into percentages of the total value of the work.

Equal Business Opportunity Ordinance SDBE Participation Documentation

If applicable information is not submitted with your proposal, your proposal will be deemed non-responsive.

<u>Declaration of Performance</u> must be completed and submitted with your proposal.

<u>SDBE Participation Documentation</u> must be used to document participation of Small Disadvantaged Business Enterprise (SDBE) on Professional Services projects. All SDBEs must be certified by the City of Durham's Equal Opportunity/Equity Assurance Department prior to submission date. If a business listed has not been certified, the amount of participation will reduced from the total utilization.

<u>Managerial Profile</u> must be used to list the managerial persons in your workforce who will be participating in this project.

<u>Equal Employment Opportunity Statement</u> for your company must be completed and submitted with your proposal.

<u>Employee Breakdown</u> must be completed and submitted for the location providing the service/commodity. If the parent company will be involved in providing the service/commodity on the City contract, a consolidated employment breakdown must be submitted.

<u>Letter of Intent to Perform as a Sub-consultant/Subcontractor</u> must be completed for SDBEs proposed to perform on a contract. This form must be submitted with the proposal.

Post Proposal Submission SDBE Deviation

Post proposal submission SDBE deviation participation documentation must be used to report and deviation from SDBE participation either prior to or subsequent to startup of the project. The Equal Opportunity/Equity Assurance Department must be notified if the proposed subconsultant/subcontractor is unable to perform and for what reasons. Substitutions of subconsultants/subcontractor, both prior to and after awarding of a contract, are subject to City approval.

SDBE Goals Not Met/Documentation of Good Faith Efforts

It is the responsibility of consultants/contractors to make good faith efforts. Good Faith Efforts means the sum total of efforts by a particular business to provide equitable participation of socially and economically disadvantaged employees and sub-consultants/subcontractors.

Whenever contract alternatives, amendments or extra work orders are made individually or in the aggregate, which increase the total value of the original contract, the consultant must make a good faith effort to increase SDBE participation such that the amounts subcontracted are consistent with the established goals.

SELECTION OF CONSULTANTS/CONTRACTORS FOR ARCHITECTURAL/ENGINEERING AND OTHER PROFESSIONAL SERVICES

Goal

The purpose is to provide Small Disadvantaged Businesses equal opportunities for participation on City of Durham contracts.

Definition of the Scope of the Selection Policy

The Equal Opportunity/Equity Assurance Director shall establish SDBE participation goals for each contract to be awarded by the City. Project specific goals for each project or contract will be based upon the availability of small disadvantaged business enterprises (SDBE's) within the defined scope of work, delineated into percentages of the total value of the work.

Small Disadvantaged Business Proposal Requirements

The prime consultant/contractor shall submit a proposal in accordance with the City of Durham's Request for Proposal. In addition, the prime consultant/contractor must submit all required Professional Services SDBE Forms.

Selection Committee for Professional Services

A selection committee shall be established to be composed of the following: City Manager or a designated representative of this office; Director of Finance or a designated representative of this office; department head responsible for the project; City Engineer if engineering services are involved; the Equal Opportunity/Equity Assurance Director and Purchasing Manager. Other representatives shall be called upon as needed based on their areas of expertise.

The committee shall screen the proposals based on the following criteria:

- 1. Firms; interest in the project;
- 2. Current work in progress by firm;
- 3. Past experience with similar projects:
- 4. General proposal for carrying out the required work;
- 5. Designation of key personnel who will handle the project, with resume for each;
- 6. Proposed associate consultants/contractor, SDBE subconsultants:
- 7. Indication of capability for handling project;
- 8. Familiarity with the project;
- 9. Fees that have been charged for recent comparable projects;
- 10. References;
- 11. SDBE Participation; and
- 12. Documentation of Good Faith efforts.

After ranking the firms presenting proposals based on the above criteria, interviews will be conducted by the selection committee with the top ranked firms (3-5). The contracting department will make the final recommendation, prepare contracts for review by the City Attorney, and prepare the recommendation for the City Council including the following:

- 1. Description and scope of the project;
- 2. Recommended firm;
- 3. Contract cost;
- 4. Time limits;
- 5. Basis for selection;
- 6. Source for funding;
- 7. Equal Business Opportunity Ordinance compliance; and
- 8. Recommendation that the contract be approved by the City Council.

Contract Award

A provision must be written in each contract with an architect or engineer requiring them to work with Equal Opportunity/Equity Assurance Department in creating and identifying separate work.

Project Evaluation

An evaluation shall be made of each contract after its completion to be used in consideration of future professional services contracts. The evaluation shall cover appropriate items from the check list for ranking applicants. A copy of the evaluation shall be given to the consultant, and any comment he/she cares to make shall be included in the files.

DECLARATION OF PERFORMANCE BY CONSULTANT/CONTRACTOR

Dat	e Authorized Signature
c) wor	The vendor/contractor will use a subconsultant(s) in the fulfillment of this scope of k.
b)	That the above documentation demonstrates this <i>firm</i> 's capabilities to perform all elements of the contract with its own work force or without the use of subcontractors/vendors.
a)	It is the normal business practice of the consultant/contractor to perform al elements of the contract with its own workforce without the use of subcontractors/vendors and
The	undersigned consultant/contractor certifies that: (check appropriate box)
3.	List anyone outside of your company with whom you will contract on this bid:
2.	Describe the normal procedure used on a bid of this type, giving the flow of purchase from the company to the ultimate purchaser:
1.	A brief synopsis of the company and the products/services it provides:
Brie	efly address each of the following items:

PARTICIPATION DOCUMENTATION (TO BE COMPLETED BY PRIME CONSULTANT/CONTRACTOR ONLY)

Names of all firms (including prime and sub consultants/ Sub contractors)	Location	SDBE Firm Yes/No	Nature of Participation	% of Project Work
,				
			TOTAL: _	
Name - Authoriz	ed Officer of Pri	me Consultant/0	Contractor Firm (P	rint/Type)
Signature - Auth	norized Officer o	f Prime Consulta	ant/Contractor Fire	m

Date

MANAGERIAL PROFILE

Name of Firm:		
Contact Person:		
Title:		
Address:		
Telephone No.:		
Date:		
name, position, and whether		articipating in this project, including woman within the definition* of the
	Managerial Employees	
		SOCIALLY/ECONOMICALLY
NAME	POSITION	DISADVANTAGED* (YES/NO)

^{*} M-Minority(African American), W-Woman, Other-H-Hispanic, Al-American Indian, AS-Asian American, Handicapped

EQUAL OPPORTUNITY STATEMENT (You may submit your organization's EEO policy in lieu of this sheet)

EMPLOYEE BREAKDOWN

Part A - Employee Statistics for the Primary Location

MALES FEMALES

				141	ALLU						•		
Employment Category	Total Employees	Total Males	Total Females	White	Black	Hispanic	Asian or Alaskan Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manger													
Professional													
Labor													
Clerical													
Totals													

Part B – Employee Statistics for the Consolidated Company (See instructions for this form on whether this part is required.)

MALES FEMALES

Employment Category	Total Employees	Total Males	Total Females	White	Black	Hispanic	Asian or Alaskan Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manger													
Professional													
Labor													
Clerical													
Totals													

EEO-1 Report may be submitted in lieu of this form

Letter of Intent to Perform as a Sub-Consultant

The undersigned intends to perform work in connection with the above project as a SDBE:

Minority (African American)	•	Woman	•	Hispanic	•
American Indian	•	Asian American	•	Handicapped	•
The SDBE status of the undersi attached copy of certification or EO/EA Department.					
The undersigned is prepared to above project (specify in detail p					
You have projected the following projecting completion of such w			such wo	rk, and the un	dersigned is
<u>ITEMS</u>		PROJECT COMMENCEI DATE			OJECTED MPLETION DATE
The undersigned will subcontra subconsultant/subcontractor and the undersigned will entertails.	d/or n	on-SDBE subconsul		ontractor.	
9		e above work with yo	•		
a contract with the City of Durha	am.	·			
Name		Title			
Company		Te	lephone _		
Address					
Signature					

REQUEST TO CHANGE SDBE PARTICIPATION

Project:
Name of bidder or consultant:
Name and title of representative bidder or consultant:
Address (including zip code): Fax number: Fax number:
Telephone number: Fax number:
Email address:
Total amount of original contract, before any change orders or amendments:
Total amount of the contract, including all approved change orders and amendments to
date, but not counting the changes proposed in this form:
Dollar amount of changes proposed in this form:
The proposed change <i>(check one)</i> \Box increases \Box decreases the dollar
amount of the bidder's/consultant's contract with the City.
Does the proposed change decrease the SDBE participation? <i>(check one)</i> \square yes \square no
If the answer is yes , complete the following:
BOX A. For the subcontract proposed to be changed (increased, reduced, or
eliminated):
Name of subconsultant:
Goods and services to be provided before this proposed change:
Is it proposed to eliminate this subcontract? ☐ yes ☐ no
If the subcontract is to be increased or reduced, describe the nature of the change
(such as adding \$5,000 in environmental work and deleting \$7,000 in architectural):
Dollar amount of this subcontract before this proposed change:
Dollar amount of this subcontract after this proposed change:
This subconsultant is (check one):
☐ 1. City-certified Black-owned SDBE
☐ 2. City-certified Women-owned SDBE
☐ 3. City-certified SDBE that is neither Black-owned nor women owned, but to be
credited as:
3(a) □ Black-owned SDBE 3(b) □ Women-owned SDBE
□ 4. not a City-certified SDBE
- I. Hot a oity continue obbe

BOX B. Proposed subcontracts of	her than the subcontract described in Box A
above	
Name of subcontractor for the new w	ork:
Goods and services to be provided b	y this proposed subcontract:
Dollar amount proposed of this propo	sed subcontract:
This subcontractor is (check one):	
☐ 1. City-certified Black-owned SD	BE
☐ 2. City-certified women-owned S	DBE
☐ 3. City-certified SDBE that is nei	ther Black-owned nor women owned, but to be
credited as:	
3(a) □ Black-owned SDBE	3(b) ☐ Women-owned SDBE
☐ 4. not a City-certified SDBE	

Add additional sheets as necessary.

SDBE GOALS NOT HAVING BEEN MET. The following information must be presented by the consultant concerning good faith efforts taken.

It is the responsibility of consultants to make good faith efforts. Any act or omission by the City shall not relieve them of this responsibility. For future efforts, it shall be comprised of such efforts which are proposed to allow equitable participation of socially and economically disadvantaged employees and subconsultants/subcontractors. The City Manager shall apply the following criteria, with due consideration of the quality, quantity, intensity and timeliness of efforts of consultants/contractors, in determining good faith efforts to engage SDBEs along with other criteria that the City Manager deems proper:

Name of Bidder:
If you find it helpful, feel free to attach pages to explain your answers. How man pages is your firm attaching to this questionnaire? (Don't count the 2 pages of this questionnaire.)
If a yes or no answer is not appropriate, please explain the facts. All of the answers to these questions relate only to the time <u>before</u> your firm submitted its bid or proposal to the City. In other words, actions that your firm took after it submitted the bid of proposal to the City cannot be mentioned or used in any answers.
1. SOLICITING SDBEs.
(a) Did your firm solicit, through all reasonable and available means, the interest of \underline{all} SDBE certified (that is, in the City's database) in the scopes of work of the contract? \Box yes \Box no
(b) In such soliciting, did your firm advertise? \Box yes \Box no Are you attaching copies to thi questionnaire, indicating the dates and names of newspaper or other publication for each ad that information is not already on the ads? \Box yes \Box no
(c) In such soliciting, did your firm send written (including electronic) notices or letters? Are yo attaching one or more sample notices or letters? \Box yes \Box no
(d) Did your firm attend the pre-bid conference? □ yes □ no
(e) Did your firm provide interested SDBEs with timely, adequate information about the plans, specifications, and requirements of the contract? ☐ yes ☐ no
(f) Did your firm follow up with SDBEs that showed interest? ☐ yes ☐ no
(g)With reference to the SDBEs that your firm notified of the type of work to be subcontracted - Did your firm tell them:
 (i) the specific work your firm was considering for subcontracting? □ yes □ no (ii) that their interest in the contract is being solicited? □ yes □ no (iii) how to obtain and inspect the applicable plans and specifications and
descriptions of items to be purchased?

(a) Did your firm select portions of the work to be performed by SDBEs in order to increase the likelihood that the goals would be reached? \Box yes \Box no
(b) If yes , please describe the portions selected. ANSWER:
3. NEGOTIATION.
In your answers to 3, you may omit information regarding SDBEs for which you are providing Form E-105.
(a) What are the names, addresses, and telephone numbers of SDBEs that you contacted? ANSWER:
(b) Describe the information that you provided to the SDBEs regarding the plans and specifications for the work selected for potential subcontracting. ANSWER:
(c) Why could your firm not reach agreements with the SDBEs that your firm made contact with? Be specific. ANSWER:
4. ASSISTANCE TO SDBEs ON BONDING, CREDIT, AND INSURANCE.
(a) Did your firm or the City require any subcontractors to have bonds, lines of credit, or insurance? □ yes □ no (Note: In most projects, the City has no such requirement for <i>subcontractors</i> .)
(b) If the answer to (a) is yes , did your firm make efforts to assist SDBEs to obtain bonds, lines of credit, or insurance? □ yes □ no If yes , describe your firm's efforts. ANSWER:
(c) Did your firm provide alternatives to bonding or insurance for potential subcontractors? □ yes □ no If yes, describe. ANSWER:
5. GOODS AND SERVICES. What efforts did your firm make to help interested SDBEs to obtain goods or services relevant to the proposed subcontracting work? ANSWER:

2. BREAKING DOWN THE WORK.

6. USING OTHER SERVICES.

 (a) Did your firm use the services of the City to help solicit SDBEs for the work? □ yes □ no Please explain. ANSWER:
(b) Did your firm use the services of available minority/women community organizations minority and women contractors' groups, government-sponsored minority/women busines assistance agencies, and other appropriate organizations to help solicit SDBEs for the work ☐ yes ☐ no Please explain. ANSWER: